

IC 9-13-2

Chapter 2. Definitions

IC 9-13-2-1

Abandoned vehicle

Sec. 1. "Abandoned vehicle" means the following:

- (1) A vehicle located on public property illegally.
- (2) A vehicle left on public property without being moved for three (3) days.
- (3) A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.
- (4) A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than forty-eight (48) hours.
- (5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.
- (6) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within twenty (20) days after the vehicle's removal.
- (7) A vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days.

As added by P.L.2-1991, SEC.1. Amended by P.L.92-1997, SEC.1.

IC 9-13-2-1.1

Act

Sec. 1.1. "Act", for purposes of IC 9-24-6.5, has the meaning set forth in IC 9-24-6.5-1.

As added by P.L.48-2004, SEC.1.

IC 9-13-2-1.3

Adjusted or net capitalized cost

Sec. 1.3. "Adjusted or net capitalized cost", for purposes of IC 9-23-2.5, has the meaning set forth in IC 9-23-2.5-1.

As added by P.L.86-1996, SEC.1.

IC 9-13-2-1.5

Administration

Sec. 1.5. "Administration", for purposes of IC 9-24-6.5, has the meaning set forth in IC 9-24-6.5-2.

As added by P.L.48-2004, SEC.2.

IC 9-13-2-2

Air conditioning equipment

Sec. 2. "Air conditioning equipment" means mechanical vapor

compression refrigeration equipment that is used to cool the driver's or passenger's compartment of a motor vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-2.3

Alcoholic beverage

Sec. 2.3. "Alcoholic beverage", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-5.

As added by P.L.53-1994, SEC.3.

IC 9-13-2-2.4

Alcohol concentration equivalent

Sec. 2.4. "Alcohol concentration equivalent" means the alcohol concentration in a person's blood or breath determined from a test of a sample of the person's blood or breath.

As added by P.L.1-2000, SEC.2.

IC 9-13-2-2.5

Alley

Sec. 2.5. "Alley" means a public way in an urban district that meets the following qualifications:

- (1) Is open to the public for vehicular traffic.
- (2) Is publicly maintained.
- (3) Is one (1) lane wide.
- (4) Is designated as an alley by the local authorities on an official map of the urban district.

As added by P.L.92-1991, SEC.1.

IC 9-13-2-3

Antique motor vehicle

Sec. 3. "Antique motor vehicle" means a motor vehicle or motor scooter that is at least twenty-five (25) years old.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-4

Approved driver education course

Sec. 4. "Approved driver education course" means a course offered by a high school or driver education school that the superintendent of public instruction periodically designates as approved, after taking into consideration the standards and methods of instruction necessary to ensure adequate training for the operation of a motor vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-5

Approved motorcycle driver education and training course

Sec. 5. "Approved motorcycle driver education and training course" means:

- (1) a course offered by a public or private secondary school, a new motorcycle dealer, or other driver education school

offering motorcycle driver training as developed and approved by the superintendent of public instruction and the bureau; or
(2) a course that is offered by a commercial driving school or new motorcycle dealer and that is approved by the bureau.

As added by P.L.2-1991, SEC.1. Amended by P.L.48-2004, SEC.3.

IC 9-13-2-5.5

Assembled vehicle

Sec. 5.5. "Assembled vehicle", for purposes of IC 9-17-4, has the meaning set forth in IC 9-17-4-0.3.

As added by P.L.268-2003, SEC.1.

IC 9-13-2-6

Authorized emergency vehicle

Sec. 6. "Authorized emergency vehicle" means the following:

(1) The following vehicles:

(A) Fire department vehicles.

(B) Police department vehicles.

(C) Ambulances.

(D) Emergency vehicles operated by or for hospitals or health and hospital corporations under IC 16-22-8.

(2) Vehicles designated as emergency vehicles by the Indiana department of transportation under IC 9-21-20-1.

(3) Motor vehicles that, subject to IC 9-21-20-2, are approved by the Indiana emergency medical services commission that are:

(A) ambulances that are owned by persons, firms, limited liability companies, or corporations other than hospitals; or

(B) not ambulances and that provide emergency medical services, including extrication and rescue services (as defined in IC 16-18-2-110).

(4) Vehicles of the department of correction that, subject to IC 9-21-20-3, are:

(A) designated by the department of correction as emergency vehicles; and

(B) responding to an emergency.

As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.35; P.L.2-1993, SEC.64; P.L.8-1993, SEC.165.

IC 9-13-2-6.5

Automated vehicle identifier

Sec. 6.5. "Automated vehicle identifier" means an electronic tracking device approved by the commissioner of the department of state revenue for use in connection with special weight permits for extra heavy duty highways under IC 9-20-5.

As added by P.L.129-2001, SEC.29.

IC 9-13-2-7

Automobile auctioneer

Sec. 7. "Automobile auctioneer" means a person who is engaged in the business of, or as a part of the auctioneer's business

participates in, providing a place of business or facilities for the purchase and sale of motor vehicles on the basis of bids by persons acting for themselves or others. The term does not include a person acting only as an auctioneer under IC 25-6.1-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-8

Automobile scrapyard

Sec. 8. "Automobile scrapyard" means a business organized for the purpose of scrap metal processing, automobile wrecking, or operating a junkyard.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-9

Automotive salvage rebuilder

Sec. 9. "Automotive salvage rebuilder" means a person, firm, limited liability company, corporation, or other legal entity engaged in the business:

- (1) of acquiring salvage motor vehicles for the purpose of restoring, reconstructing, or rebuilding the vehicles; and
- (2) in the resale of these vehicles for use on the highway.

As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.166.

IC 9-13-2-10

Automotive salvage recycler

Sec. 10. "Automotive salvage recycler" means a business that:

- (1) acquires damaged, inoperative, discarded, abandoned, or salvage motor vehicles, or their remains, as stock-in-trade;
- (2) dismantles and processes such vehicles or remains for the reclamation and sale of reusable components and parts; and
- (3) disposes of recyclable materials to a scrap metal processor or other appropriate facility.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-11

Axle

Sec. 11. "Axle" means the common axis of rotation of at least one (1) wheel or roller that is:

- (1) power driven or freely rotating; and
- (2) in at least one (1) segment.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-12

Axle weight

Sec. 12. "Axle weight" means the total weight concentrated on one (1) or more axles spaced less than forty (40) inches from center to center.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-13

B-train assembly

Sec. 13. "B-train assembly" means a rigid frame extension attached to the rear frame of a first semitrailer that allows for a fifth wheel connection point for a second semitrailer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-14**Bicycle**

Sec. 14. "Bicycle" means any foot-propelled vehicle, irrespective of the number of wheels in contact with the ground.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-15**Broker**

Sec. 15. "Broker", for purposes of IC 9-23-3, has the meaning set forth in IC 9-23-3-0.3.

As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.2.

IC 9-13-2-16**Bureau**

Sec. 16. "Bureau" refers to the bureau of motor vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-17**Bus**

Sec. 17. (a) "Bus" means, except as provided in subsection (b), the following:

- (1) A motor vehicle or a passenger carrying semitrailer used for the purpose of carrying passengers on a regular schedule of time and rates between fixed termini.
- (2) A motor vehicle or a passenger carrying semitrailer designed for carrying more than ten (10) passengers exclusive of the driver.

The term does not include school buses, or motor vehicles that are funeral equipment and that are used in the operation of the funeral business.

(b) "Bus", for purposes of IC 9-21, means the following:

- (1) A motor vehicle designed for carrying passengers for hire and used for the transportation of persons.
- (2) A motor vehicle other than a taxicab designed or used for the transportation of persons for compensation.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-18**Business district**

Sec. 18. "Business district" means the territory contiguous to and including a highway when at least fifty percent (50%) of the frontage of the territory for a distance of at least five hundred (500) feet is occupied by buildings in use for business.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-18.5 Repealed

(Repealed by P.L.118-1993, SEC.8.)

IC 9-13-2-18.6

Capitalized cost

Sec. 18.6. "Capitalized cost", for purposes of IC 9-23-2.5, has the meaning set forth in IC 9-23-2.5-2.

As added by P.L.86-1996, SEC.2.

IC 9-13-2-18.7

Capitalized cost reduction

Sec. 18.7. "Capitalized cost reduction", for purposes of IC 9-23-2.5, has the meaning set forth in IC 9-23-2.5-3.

As added by P.L.86-1996, SEC.3.

IC 9-13-2-19

Certificate of compliance

Sec. 19. "Certificate of compliance" means a written statement issued by the bureau to a registered owner or operator of a motor vehicle involved in an accident showing compliance with IC 9-25 or with the requirements of the bureau.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-20

Certified motorcycle operational examiner

Sec. 20. "Certified motorcycle operational examiner" means a person certified by the bureau of motor vehicles in accordance with rules adopted under IC 4-22-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-21

Chauffeur

Sec. 21. (a) "Chauffeur", except as provided in subsection (b), means a person:

- (1) employed by another person for the principal purpose of operating a motor vehicle registered as having a gross weight of sixteen thousand (16,000) pounds or more for the purpose of transporting property;
- (2) operating a motor vehicle registered as having a gross weight of sixteen thousand (16,000) pounds or more for the purpose of transporting property for hire; or
- (3) operating a private bus.

(b) "Chauffeur", for purposes of IC 9-25, means a person:

- (1) who is employed for hire for the principal purpose of operating a motor vehicle upon the highways;
- (2) who operates a motor vehicle while in use as a carrier of passengers or property for hire; or
- (3) who drives or operates a motor vehicle while in use as a school bus for the transportation of pupils to or from school.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-22

Chemical test

Sec. 22. "Chemical test" means an analysis of a person's blood, breath, urine, or other bodily substance for the determination of the presence of alcohol, a controlled substance, or a drug.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-23 Version a

Child passenger restraint system

Note: This version of section effective until 7-1-2005. See also following version of this section, effective 7-1-2005.

Sec. 23. "Child passenger restraint system" means a device that:

- (1) is manufactured for the purpose of protecting children from injury during a motor vehicle accident; and
- (2) meets the standards prescribed in 49 CFR 571.213.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-23 Version b

Child restraint system

Note: This version of section effective 7-1-2005. See also preceding version of this section, effective until 7-1-2005.

Sec. 23. "Child restraint system" means a device that:

- (1) is manufactured for the purpose of protecting children from injury during a motor vehicle accident; and
- (2) meets the standards prescribed and definition contained in 49 CFR 571.213.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-2004, SEC.1.

IC 9-13-2-24

Church bus

Sec. 24. "Church bus", for purposes of IC 9-29-5-9, has the meaning set forth in IC 9-29-5-9(a).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-25

Civic event

Sec. 25. "Civic event" means an event that is staged by a private organization for the purpose of creating a tourist attraction in an Indiana community.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-26

Class A recovery vehicle

Sec. 26. "Class A recovery vehicle" means a truck that:

- (1) is specifically designed for towing a disabled vehicle or a combination of vehicles; and
- (2) has a gross vehicle weight rating that is greater than sixteen thousand (16,000) pounds.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-27**Class B recovery vehicle**

Sec. 27. "Class B recovery vehicle" means a truck that:

- (1) is specifically designed for towing a disabled vehicle or a combination of vehicles; and
- (2) has a gross vehicle weight rating equal to or less than sixteen thousand (16,000) pounds.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-27.5**College**

Sec. 27.5. "College", for purposes of IC 9-27-4, has the meaning set forth in IC 9-27-4-1.5.

As added by P.L.87-1996, SEC.1.

IC 9-13-2-28**Commercial driver training school**

Sec. 28. "Commercial driver training school", for purposes of IC 9-24-10-4 and IC 9-27-4, has the meaning set forth in IC 9-27-4-2.

As added by P.L.2-1991, SEC.1. Amended by P.L.93-1997, SEC.1.

IC 9-13-2-29**Commercial driver's license**

Sec. 29. "Commercial driver's license" means a license issued by the state to an individual that authorizes the individual to operate a class of commercial motor vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-30**Commercial enterprise**

Sec. 30. "Commercial enterprise" does not include the transportation of a farm commodity from the place of production to the first point of delivery where the commodity is weighed and title to the commodity is transferred.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-31**Commercial motor vehicle**

Sec. 31. (a) "Commercial motor vehicle" means, except as provided in subsection (b), a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- (1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds;
- (2) has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds;
- (3) is designed to transport at least sixteen (16) passengers, including the driver; or

(4) is:

(A) of any size;

(B) used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act; and

(C) required to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F).

(b) The bureau of motor vehicles may, by rule, broaden the definition of commercial motor vehicle under subsection (a) to include vehicles with a gross declared weight greater than eleven thousand (11,000) pounds but less than twenty-six thousand one (26,001) pounds.

As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.1.

IC 9-13-2-31.5

Commercial vehicle

Sec. 31.5. "Commercial vehicle", for purposes of IC 9-18-2-4.5, means a motor vehicle or combination of motor vehicles used in commerce to transport property if the motor vehicle:

(1) has a gross combination weight rating of at least twenty-six thousand one (26,001) pounds, including a towed unit with a gross vehicle weight rating of more than ten thousand (10,000) pounds;

(2) has a gross vehicle weight rating of at least twenty-six thousand one (26,001) pounds; or

(3) meets both of the following requirements:

(A) The motor vehicle has a gross vehicle weight rating of at least seven thousand (7,000) pounds, but less than twenty-six thousand one (26,001) pounds.

(B) The motor vehicle is owned by a registered carrier holding a valid Indiana fuel tax permit under IC 6-6-4.1.

As added by P.L.150-2001, SEC.2.

IC 9-13-2-32

Commission

Sec. 32. "Commission" refers to the bureau of motor vehicles commission.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-33

Commissioner

Sec. 33. "Commissioner" refers to the commissioner of the bureau of motor vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-34

Component part

Sec. 34. "Component part" means an engine, a transmission, a body-chassis, a doghouse (front assembly), a rear-end, or a frame.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-34.3**Compression release engine brake**

Sec. 34.3. "Compression release engine brake", for purposes of IC 9-21-8-44.5, has the meaning set forth in IC 9-21-8-44.5(a).

As added by P.L.1-2002, SEC.38.

IC 9-13-2-34.5**Container**

Sec. 34.5. "Container", for purposes of IC 9-30-15, has the meaning set forth in IC 7.1-1-3-13.

As added by P.L.53-1994, SEC.4.

IC 9-13-2-35**Controlled substance**

Sec. 35. "Controlled substance" has the meaning set forth in IC 35-48-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-36**Conventional school bus**

Sec. 36. "Conventional school bus" means a motor vehicle designed with the engine compartment projecting forward from the passenger compartment.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-37**Converter manufacturer**

Sec. 37. "Converter manufacturer" means a person who adds to, subtracts from, or modifies a previously assembled or manufactured van motor vehicle. The term does not include a person who manufactures recreational vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-38**Conviction**

Sec. 38. "Conviction" includes the following:

- (1) A conviction or judgment upon a plea of guilty or nolo contendere.
- (2) A determination of guilt by a jury or a court, even if:
 - (A) no sentence is imposed; or
 - (B) a sentence is suspended.
- (3) A forfeiture of bail, bond, or collateral deposited to secure the defendant's appearance for trial, unless the forfeiture is vacated.
- (4) A payment of money as a penalty or as costs in accordance with an agreement between a moving traffic violator and a traffic violations bureau.

As added by P.L.2-1991, SEC.1. Amended by P.L.93-1991, SEC.1.

IC 9-13-2-39

Court

Sec. 39. "Court", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-39.5**Covered offense**

Sec. 39.5. "Covered offense", for purposes of IC 9-30-14, has the meaning set forth in IC 9-30-14-1.

As added by P.L.94-1991, SEC.1.

IC 9-13-2-40**Crosswalk**

Sec. 40. "Crosswalk" means any of the following:

- (1) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway.
- (2) A part of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-41**Current driving license**

Sec. 41. "Current driving license" means every class and kind of license or permit that evidences the privilege to operate a motor vehicle upon the highways of Indiana. The term includes a privilege granted by the license.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-42**Dealer**

Sec. 42. (a) "Dealer" means, except as otherwise provided in this section, a person who sells to the general public, including a person who sells directly by the Internet or other computer network, at least twelve (12) vehicles each year for delivery in Indiana. A dealer must have an established place of business that meets the minimum standards prescribed by the bureau under rules adopted under IC 4-22-2.

(b) The term does not include the following:

- (1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.
- (2) A public officer while performing official duties.
- (3) A person who is a dealer solely because of activities as a transfer dealer.

(c) "Dealer", for purposes of IC 9-31, means a person that sells to the general public for delivery in Indiana at least six (6) boats per year.

As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.4; P.L.66-1992, SEC.2; P.L.74-2001, SEC.1.

IC 9-13-2-43

Designated family member

Sec. 43. (a) "Designated family member" means a franchisee's spouse, child, grandchild, parent, or sibling who has been nominated as the franchisee's successor under a written document filed by the franchisee with the franchisor.

(b) If no such document has been filed, the term means a franchisee's spouse, child, grandchild, parent, or sibling who:

(1) if the franchisee is deceased, is entitled to inherit the franchisee's ownership interest in the franchisee's business under the franchisee's will or under the laws of intestate succession; or

(2) if the franchisee is incapacitated, is appointed by the court as the legal representative of the franchisee's property.

(c) If a franchisee is deceased, the term includes the appointed and qualified personal representative and testamentary trustee of the deceased franchisee.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-43.5

Disclose

Sec. 43.5. "Disclose", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-2.

As added by P.L.2-1997, SEC.24.

IC 9-13-2-44

Disposal facility

Sec. 44. (a) "Disposal facility" means a person, firm, limited liability company, corporation, or other legal entity that, in the course of business, engages in the acquisition and dismantling or demolition of motor vehicles, motorcycles, semitrailers, or recreational vehicles or their remains for the benefit of reusable components and parts or recyclable materials.

(b) The term includes the following enterprises:

(1) An automotive salvage recycler.

(2) A hulk crusher.

(c) The term does not include a scrap metal processor.

As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.167.

IC 9-13-2-45

Distributor

Sec. 45. "Distributor" means a person, other than a manufacturer or wholesale dealer, who is engaged in the business of selling motor vehicles to dealers located in Indiana. The term includes a distributor's branch office or the distributor's representative. The term does not include a recreational vehicle manufacturer.

As added by P.L.2-1991, SEC.1. Amended by P.L.78-2002, SEC.1.

IC 9-13-2-46

Driveaway or towaway

Sec. 46. "Driveaway or towaway", for purposes of IC 9-20-9-1, has the meaning set forth in IC 9-20-9-1(a).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-47

Driver

Sec. 47. "Driver" means a person who drives or is in actual physical control of a vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-48

Driver's license

Sec. 48. "Driver's license" means any type of license or privilege to operate a motor vehicle issued under the laws of a jurisdiction.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-49

Driveway or private road

Sec. 49. "Driveway" or "private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-49.1

Drug

Sec. 49.1. The term "drug" includes legend drug (as defined in IC 16-18-2-199), nitrous oxide, "model glue" (as defined in IC 35-46-6-1), and any substance listed in IC 35-46-6-2(2).

As added by P.L.33-1997, SEC.2.

IC 9-13-2-49.3

Electric personal assistive mobility device

Sec. 49.3. "Electric personal assistive mobility device" means a self-balancing, two (2) nontandem wheeled device that is designed to transport only one (1) person and that has the following:

(1) An electric propulsion system with average power of seven hundred fifty (750) watts or one (1) horsepower.

(2) A maximum speed of less than twenty (20) miles per hour when operated on a paved level surface, when powered solely by the propulsion system referred to in subdivision (1), and when operated by an operator weighing one hundred seventy (170) pounds.

As added by P.L.143-2002, SEC.1.

IC 9-13-2-50

Established place of business

Sec. 50. "Established place of business" means a permanent enclosed building or structure owned or leased for the purpose of bartering, trading, and selling motor vehicles. The term does not

include a residence, tent, temporary stand, or permanent quarters temporarily occupied.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-51

Existing franchise

Sec. 51. "Existing franchise" means the franchise in effect on the date of a franchisee's death or incapacity.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-52

Explosives

Sec. 52. "Explosives" means a chemical compound or mechanical mixture that:

- (1) is commonly used or intended for the purpose of producing an explosion; or
- (2) contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-52.5

Extra wide manufactured home rig

Sec. 52.5. "Extra wide manufactured home rig", for purposes of IC 9-20-15-6, has the meaning set forth in IC 9-20-15-6(a).

As added by P.L.95-1991, SEC.1.

IC 9-13-2-53

Fair market value

Sec. 53. "Fair market value", for purposes of IC 9-22-3, has the meaning set forth in IC 9-22-3-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-54

Farm commodities

Sec. 54. "Farm commodities", for purposes of IC 9-20-4-2, has the meaning set forth in IC 9-20-4-2(c) and IC 9-20-4-2(d).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-55

Farm machinery

Sec. 55. "Farm machinery" means a grain and bean separator, combine, corn picker, ensilage cutter, corn sheller, corn shredder, hay raker, manure spreader, portable saw mill, well drilling machinery, and seeding, cultivating, and harvesting machinery.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-56**Farm tractor**

Sec. 56. (a) "Farm tractor" means, except as provided in subsection (b), a motor vehicle designed and used primarily as a farm implement for drawing farm machinery, including plows, mowing machines, harvesters, and other implements of husbandry, used on a farm and, when using the highways, in traveling from one (1) field or farm to another or to or from places of repairs. The term includes a wagon, trailer, or other vehicle pulled by a farm tractor.

(b) "Farm tractor", for purposes of IC 9-21, means a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-57**Farm tractor used in transportation**

Sec. 57. (a) "Farm tractor used in transportation" means a farm tractor, including the wagon, trailer, or other vehicle pulled by the tractor, used by the owner or operator for the transportation, but not for hire, of commodities upon the highways.

(b) The term does not include the transportation of commodities between farms.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-58**Farm truck, farm trailer, or farm semitrailer and tractor**

Sec. 58. "Farm truck", "farm trailer", or "farm semitrailer and tractor" shall be identified in accordance with a rule adopted by the bureau.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-59**Farm vehicle loaded with a farm product**

Sec. 59. "Farm vehicle loaded with a farm product" includes a truck hauling unprocessed leaf tobacco.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-60**Farm wagon**

Sec. 60. "Farm wagon" means a wagon, other than an implement of husbandry, used primarily for transporting farm products and farm supplies in connection with a farming operation.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-61**Fatal accident**

Sec. 61. "Fatal accident", for purposes of IC 9-30-7, has the meaning set forth in IC 9-30-7-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-62

Federal act

Sec. 62. "Federal act", for purposes of IC 9-27-1, has the meaning set forth in IC 9-27-1-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-62.5

Fire lane

Sec. 62.5. (a) "Fire lane", for purposes of IC 9-21-16-5.5, means an area that is:

(1) located within twelve (12) feet of:

(A) a building that:

(i) is occupied for commercial, professional, religious, or any other purpose; and

(ii) is not a building that is intended for use as a dwelling for one (1) or two (2) families; or

(B) a sidewalk immediately adjacent to or attached to a building; and

(2) designated as a fire lane under IC 9-21-16-5.5(c).

(b) The term includes an alley.

As added by P.L.8-2003, SEC.1.

IC 9-13-2-63

Fiscal body

Sec. 63. "Fiscal body" means the following:

(1) County council, for a county not having a consolidated city.

(2) City-county council, for a consolidated city or county having a consolidated city.

(3) Common council, for a city other than a consolidated city.

(4) Town council, for a town.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-64

Flagman

Sec. 64. "Flagman" means an authorized person directing traffic in accordance with the provisions of this title at a worksite.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-65

Flammable liquid

Sec. 65. "Flammable liquid" means a liquid that has a flash point of seventy (70) degrees Fahrenheit, or less, as determined by a tabliabue or equivalent closed cup test device.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-66

Fleet

Sec. 66. "Fleet" means three (3) or more intercity buses.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-67**Franchise**

Sec. 67. "Franchise" means an oral or a written agreement for a definite or an indefinite period in which a manufacturer or distributor grants to a dealer a right to use a trade name, trade or service mark, or related characteristic, and in which there is a community of interest in the marketing of motor vehicles or related services at retail or otherwise.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-68**Franchisee**

Sec. 68. "Franchisee" means a dealer to whom a franchise is granted.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-69**Franchisor**

Sec. 69. "Franchisor" means a manufacturer or distributor who grants a franchise to a dealer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-69.3**Funeral escort**

Sec. 69.3. "Funeral escort" has the meaning set forth in IC 9-21-13-0.3.

As added by P.L.236-2003, SEC.1.

IC 9-13-2-69.5**Funeral procession**

Sec. 69.5. "Funeral procession" has the meaning set forth in IC 9-21-13-0.5.

As added by P.L.236-2003, SEC.2.

IC 9-13-2-70**Good cause**

Sec. 70. "Good cause", for purposes of IC 9-24-12-6, has the meaning set forth in that section.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-71**Gross weight**

Sec. 71. "Gross weight" means the weight of a vehicle without load, plus the weight of any load on the vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-72**Habitual violator**

Sec. 72. "Habitual violator", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-4.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-73

Highway or street

Sec. 73. "Highway" or "street" means the entire width between the boundary lines of every publicly maintained way when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley in a city or town.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-74

Hulk crusher

Sec. 74. "Hulk crusher" means an enterprise that engages in the business of handling and flattening, compacting, or otherwise demolishing motor vehicles, motorcycles, semitrailers, or recreational vehicles, or their remains, for economical delivery to a scrap metal processor or other appropriate facility.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-75

Identification number

Sec. 75. (a) "Identification number", for purposes of IC 9-18-8-15, has the meaning set forth in IC 9-18-8-15(b).

(b) "Identification number", for purposes of IC 9-17-4, has the meaning set forth in IC 9-17-4-0.5.

As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.3.

IC 9-13-2-76

Ignition interlock device

Sec. 76. "Ignition interlock device" means a blood alcohol concentration equivalence measuring device that prevents a motor vehicle from being started without first determining the operator's equivalent breath alcohol concentration through the taking of a deep lung breath sample.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-77

Implement of husbandry

Sec. 77. "Implement of husbandry" means special farm machinery, farm machinery, and other self-propelled equipment used for the transportation and application of plant food materials or agricultural chemicals and vehicles designed to transport farm implements.

As added by P.L.2-1991, SEC.1. Amended by P.L.81-1991, SEC.3.

IC 9-13-2-77.5

Indiana firefighter

Sec. 77.5. "Indiana firefighter", for purposes of IC 9-18-34, has the meaning set forth in IC 9-18-34-1.

As added by P.L.118-1998, SEC.2.

IC 9-13-2-78**Indiana resident**

Sec. 78. "Indiana resident" refers to a person who is one (1) of the following:

(1) A person who has been living in Indiana for at least one hundred eighty-three (183) days during a calendar year and who has a legal residence in another state. However, the term does not include a person who has been living in Indiana for any of the following purposes:

(A) Attending an institution of higher education.

(B) Serving on active duty in the armed forces of the United States.

(2) A person who is living in Indiana if the person has no other legal residence.

(3) A person who is registered to vote in Indiana.

(4) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(5) A person who has more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) derived from sources in Indiana using the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who is considered a resident under this subdivision is not a resident if the person proves by a preponderance of the evidence that the person is not a resident under subdivisions (1) through (4).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-79**Individual owner**

Sec. 79. "Individual owner", for purposes of IC 9-20-15-4 and IC 9-20-18-13(b), has the meaning set forth in IC 9-20-15-4(a).

As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.2.

IC 9-13-2-79.5**Individual record**

Sec. 79.5. "Individual record", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-3.

As added by P.L.2-1997, SEC.25.

IC 9-13-2-79.7**Inflatable restraint system**

Sec. 79.7. "Inflatable restraint system", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-1.

As added by P.L.248-2003, SEC.1 and P.L.265-2003, SEC.1.

IC 9-13-2-80**Instructor**

Sec. 80. "Instructor" (of commercial driver training school), for purposes of IC 9-27-4, has the meaning set forth in IC 9-27-4-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-81**Instructor of an approved driver education course**

Sec. 81. "Instructor of an approved driver education course" includes the following:

- (1) A high school teacher who conducts a driver education course.
- (2) The principal of a high school offering a driver education course.
- (3) The authorized agent of an approved driver education school.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-82**Insured**

Sec. 82. "Insured", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-83**Intercity bus**

Sec. 83. "Intercity bus" means a bus that is used in the transportation of passengers for hire over a fixed route under a certificate issued by the Interstate Commerce Commission in interstate or combined interstate-intrastate commerce or movements in Indiana.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-84**Intersection**

Sec. 84. (a) "Intersection" means the area embraced within:

- (1) the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two
- (2) highways that join at, or approximately at, right angles; or
- (2) the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(b) Where a highway includes two (2) roadways at least thirty (30) feet apart, every crossing of each roadway of the divided highway by an intersecting highway is regarded as a separate intersection. If the intersecting highway also includes two (2) roadways at least thirty (30) feet apart, every crossing of two (2) roadways of the intersecting highway is regarded as a separate intersection.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-85**Interstate highway**

Sec. 85. "Interstate highway" means a highway that is a part of the national system of interstate and defense highways (23 U.S.C. as in effect January 1, 1991).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-86**Intoxicated**

Sec. 86. "Intoxicated" means under the influence of:

- (1) alcohol;
- (2) a controlled substance (as defined in IC 35-48-1);
- (3) a drug other than alcohol or a controlled substance; or
- (4) a combination of alcohol, controlled substances, or drugs;

so that there is an impaired condition of thought and action and the loss of normal control of a person's faculties.

As added by P.L.2-1991, SEC.1. Amended by P.L.175-2001, SEC.1.

IC 9-13-2-87**Intracity bus**

Sec. 87. "Intracity bus" means a bus operating wholly within the corporate boundaries of a city or town, including contiguous cities or towns, and cities and towns contiguous to or operating in a local transportation system within a city and adjacent suburban territory on a route that extends from within the city into the suburban territory as described in IC 36-9-1-9.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-88**Judge**

Sec. 88. "Judge", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-89**Judgment**

Sec. 89. (a) "Judgment" means, except as provided in subsections (b), (c), and (d), any judgment, except a judgment rendered against the state or a political subdivision or a municipality of the state that becomes final by expiration without appeal of the time within which appeal might have been perfected, or by final affirmation on appeal, rendered by a court of any state of the United States.

(b) "Judgment", for purposes of IC 9-25-6-4, has the meaning set forth in IC 9-25-6-4(b).

(c) "Judgment", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-1.

(d) "Judgment", for purposes of IC 9-30-11, has the meaning set forth in IC 9-30-11-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-90**Labor rate**

Sec. 90. "Labor rate" means the hourly labor rate charged by a franchisee for service, filed periodically with the bureau as the bureau may require, and posted prominently in the franchisee's service department.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-91**Lamp**

Sec. 91. "Lamp" means a single bulb that emits light.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-92**Law enforcement officer**

Sec. 92. (a) "Law enforcement officer", except as provided in subsection (b), includes the following:

- (1) A state police officer.
- (2) A city, town, or county police officer.
- (3) A sheriff.
- (4) A county coroner.
- (5) A conservation officer.

(b) "Law enforcement officer", for purposes of IC 9-30-5, IC 9-30-6, IC 9-30-7, IC 9-30-8, and IC 9-30-9, has the meaning set forth in IC 35-41-1.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.1.

IC 9-13-2-92.5**Lease agreement**

Sec. 92.5. "Lease agreement", for purposes of IC 9-23-2.5, has the meaning set forth in IC 9-23-2.5-4.

As added by P.L.86-1996, SEC.4.

IC 9-13-2-92.7**Lease transaction**

Sec. 92.7. "Lease transaction", for purposes of IC 9-23-2.5, has the meaning set forth in IC 9-23-2.5-5.

As added by P.L.86-1996, SEC.5.

IC 9-13-2-93**License**

Sec. 93. "License", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-93.5**Line make**

Sec. 93.5. "Line make" means the name given by a manufacturer to a line of motor vehicles to distinguish it as produced or sold by the manufacturer and that may be used and protected as a trademark.

As added by P.L.78-2002, SEC.2.

IC 9-13-2-94**Local authorities**

Sec. 94. (a) "Local authorities" means, except as provided in subsection (b), all officers of counties, cities, or towns, as well as all boards and other public officials of counties, cities, or towns.

(b) "Local authorities", for purposes of IC 9-21, means every

county, municipal, and other local board or body having authority to adopt local police regulations under the laws and the Constitution of the State of Indiana.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-94.4

Low numbered motor vehicle registration plate

Sec. 94.4. "Low numbered motor vehicle registration plate", for purposes of IC 9-29-3-19, has the meaning set forth in IC 9-29-3-19.

As added by P.L.216-2003, SEC.1.

IC 9-13-2-94.5

Low speed vehicle

Sec. 94.5. "Low speed vehicle" means a four (4) wheeled electrically powered motor vehicle:

- (1) with a maximum design speed of not more than thirty-five (35) miles per hour;
- (2) with a maximum weight not to exceed two thousand two hundred (2,200) pounds;
- (3) with a seating capacity of not more than four (4) persons;
- (4) with operational and equipment specifications described in 49 CFR 571.500;
- (5) that is equipped with:
 - (A) headlamps;
 - (B) front and rear turn signal lamps, tail lamps, and stop lamps;
 - (C) reflex reflectors;
 - (D) exterior or interior mirrors;
 - (E) brakes as specified in IC 9-19-3-1;
 - (F) a windshield;
 - (G) a vehicle identification number; and
 - (H) a safety belt installed at each designated seating position; and
- (6) that has not been privately assembled as described in IC 9-17-4-1.

As added by P.L.21-2003, SEC.1.

IC 9-13-2-95

Major component parts

Sec. 95. "Major component parts" means those parts of motor vehicles, motorcycles, semitrailers, or recreational vehicles normally having a manufacturer's vehicle identification number, a derivative of the identification number, or a number supplied by an authorized governmental agency, including doors, fenders, differentials, frames, transmissions, engines, doghouses (front assembly), rear clips, and additional parts as prescribed by the bureau.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-96

Manufactured home

Sec. 96. (a) "Manufactured home" means, except as provided in subsection (b), a structure that:

- (1) is assembled in a factory;
- (2) bears a seal certifying that it was built in compliance with the federal manufactured housing construction and safety standards law (42 U.S.C. 5401 et seq.);
- (3) is designed to be transported from the factory to another site in one (1) or more units;
- (4) is suitable for use as a dwelling in any season; and
- (5) is more than thirty-five (35) feet long.

(b) "Manufactured home", for purposes of IC 9-17-6, means a structure having the meaning set forth in the federal manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

As added by P.L.2-1991, SEC.1. Amended by P.L.106-2003, SEC.1.

IC 9-13-2-97

Manufacturer

Sec. 97. (a) "Manufacturer" means, except as provided in subsection (b), a person engaged in the business of constructing or assembling vehicles, of a type required to be registered under IC 9-18, at an established place of business. The term does not include a converter manufacturer or recreational vehicle manufacturer.

(b) "Manufacturer", for purposes of IC 9-23, means a person who is engaged in the business of manufacturing or assembling new motor vehicles or major component parts of motor vehicles, or both, and sells new motor vehicles to dealers, wholesale dealers, distributors, or the general public. The term includes the following:

- (1) A factory branch office of the manufacturer.
- (2) An authorized representative of the manufacturer.
- (3) A partnership, a firm, an association, a joint venture, a limited liability company, a corporation, or a trust, resident or nonresident, that is controlled by the manufacturer.

The term does not include a converter manufacturer or recreational vehicle manufacturer.

As added by P.L.2-1991, SEC.1. Amended by P.L.8-1993, SEC.168; P.L.78-2002, SEC.3; P.L.21-2003, SEC.2.

IC 9-13-2-98

Marching band procession

Sec. 98. "Marching band procession", for purposes of IC 9-21-14, has the meaning set forth in IC 9-21-14-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-99

Maxi-cube

Sec. 99. "Maxi-cube" vehicle means a truck tractor combined with a semitrailer and a separable cargo carrying unit that is designed to be loaded and unloaded through the vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-100

Medical services vehicle

Sec. 100. "Medical services vehicle" means any of the following:

- (1) A vehicle that is used or intended to be used for the purpose of responding to emergency life-threatening situations and providing emergency transportation service.
- (2) A vehicle that is routinely used to transport patients who are not acutely ill or injured in a life-threatening manner.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-101

Member of the armed forces of the United States

Sec. 101. "Member of the armed forces of the United States" means a person who served or serves on active military or naval service in the land, air, or naval forces of the United States. The term does not include service in the merchant marines.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-102

Metal tire

Sec. 102. "Metal tire" means a tire the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-103

Military vehicle

Sec. 103. "Military vehicle" means a vehicle that:

- (1) was originally manufactured for military use;
- (2) is motorized or nonmotorized, including a motorcycle, motor scooter, and trailer;
- (3) is at least twenty-five (25) years old; and
- (4) is privately owned.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-103.2

Mobile home

Sec. 103.2. "Mobile home", for purposes of IC 9-22-1.5, has the meaning set forth in IC 6-6-5-1.

As added by P.L.108-2001, SEC.1.

IC 9-13-2-103.5

Motorboat

Sec. 103.5. (a) "Motorboat" means a watercraft propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means.

(b) The term includes a sailboat that is equipped with a motor or an engine described in subsection (a) when the sailboat is in

operation whether or not the sails are hoisted.
As added by P.L.71-1991, SEC.5.

IC 9-13-2-104

Motor scooter

Sec. 104. "Motor scooter" means a vehicle that has the following:

- (1) Motive power.
- (2) A seat, but not a saddle, for the driver.
- (3) Two (2) wheels.
- (4) A floor pad for the driver's feet.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-105

Motor vehicle

Sec. 105. (a) "Motor vehicle" means, except as otherwise provided in this section, a vehicle that is self-propelled. The term does not include a farm tractor, an implement of husbandry, or an electric personal assistive mobility device.

(b) "Motor vehicle", for purposes of IC 9-21, means:

- (1) a vehicle except a motorized bicycle that is self-propelled;
or
- (2) a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(c) "Motor vehicle", for purposes of IC 9-19-10.5 and IC 9-25, means a vehicle that is self-propelled upon a highway in Indiana. The term does not include a farm tractor.

(d) "Motor vehicle", for purposes of IC 9-30-10, does not include a motorized bicycle.

As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.1; P.L.143-2002, SEC.2; P.L.248-2003, SEC.2 and P.L.265-2003, SEC.2.

IC 9-13-2-106

Motor vehicle liability policy

Sec. 106. "Motor vehicle liability policy" means an owner's policy of liability insurance or an operator's policy of liability insurance that:

- (1) is issued, except as provided in IC 9-25-5-10, by an insurance carrier duly authorized to transact business in Indiana to or for the benefit of the person named in the policy as insured; and
- (2) insures against liability resulting from the ownership, maintenance, use, or operation of a motor vehicle.

As added by P.L.2-1991, SEC.1. Amended by P.L.59-1994, SEC.1.

IC 9-13-2-107

Motor vehicle part

Sec. 107. "Motor vehicle part", for purposes of IC 19-18-8, has the meaning set forth in IC 19-18-8-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-107.5**Motor vehicle record**

Sec. 107.5. "Motor vehicle record", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-4.

As added by P.L.2-1997, SEC.26.

IC 9-13-2-108**Motorcycle**

Sec. 108. "Motorcycle" means a motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground. The term does not include a farm tractor or a motorized bicycle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-109**Motorized bicycle**

Sec. 109. "Motorized bicycle" means a two (2) or three (3) wheeled vehicle that is propelled by an internal combustion engine or a battery powered motor, and if powered by an internal combustion engine, has the following:

- (1) An engine rating of not more than two (2) horsepower and a cylinder capacity not exceeding fifty (50) cubic centimeters.
- (2) An automatic transmission.
- (3) A maximum design speed of not more than twenty-five (25) miles per hour on a flat surface.

The term does not include an electric personal assistive mobility device.

As added by P.L.2-1991, SEC.1. Amended by P.L.143-2002, SEC.3.

IC 9-13-2-110**Moving traffic offense**

Sec. 110. "Moving traffic offense", for purposes of IC 9-25-9-1 and IC 9-30-3-14, has the meaning set forth in IC 9-30-3-14(a).

As added by P.L.2-1991, SEC.1. Amended by P.L.94-1997, SEC.2; P.L.1-2002, SEC.39.

IC 9-13-2-110.5**Municipal waste collection and transportation vehicle**

Sec. 110.5. (a) "Municipal waste collection and transportation vehicle" has the meaning set forth in IC 13-11-2-134.

(b) The term does not include a railroad car (as defined in IC 13-11-2-178).

As added by P.L.114-1993, SEC.1. Amended by P.L.1-1996, SEC.58.

IC 9-13-2-111**New motor vehicle**

Sec. 111. "New motor vehicle" means a motor vehicle:

- (1) that has not been previously titled under IC 9-17 and carries a manufacturer's certificate of origin; or
- (2) that has never been transferred by a manufacturer,

distributor, or dealer to an ultimate purchaser.
As added by P.L.2-1991, SEC.1. Amended by P.L.10-1998, SEC.1.

IC 9-13-2-112

Nonmoving traffic offense

Sec. 112. "Nonmoving traffic offense", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-4.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-113

Nonresident

Sec. 113. (a) "Nonresident" means, except as provided in subsection (b), a person who is not a resident of Indiana.

(b) "Nonresident", for purposes of IC 9-18-2, means a person with a legal residence in another jurisdiction who:

- (1) engages in transporting migrant agricultural workers in connection with seasonal agricultural activities;
- (2) operates a motor vehicle in connection with a seasonal activity that requires moving from place to place entertainment devices or carnival facilities for fairs, local commercial promotions, festivals, or similar activities; or
- (3) temporarily resides or sojourns in Indiana for sixty (60) days or less in any one (1) year.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-114

Odometer

Sec. 114. "Odometer" means an instrument for measuring and recording the actual distance a motor vehicle travels while in operation. The term does not include an auxiliary odometer designed to be reset by the operator of the motor vehicle for the purpose of recording mileage on trips.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-115

Office

Sec. 115. "Office", for purposes of IC 9-27-2, has the meaning set forth in IC 9-27-2-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-116

Officer

Sec. 116. "Officer", for purposes of IC 9-22-1 and IC 9-22-2, has the meaning set forth in IC 9-22-1-2.

As added by P.L.2-1991, SEC.1. Amended by P.L.66-1992, SEC.3.

IC 9-13-2-117

Official traffic control devices

Sec. 117. "Official traffic control devices" means a sign, signal, marking, and device, including a railroad advance warning sign, not

inconsistent with this title placed or erected by authority of a public body or an official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-117.5

Operate

Sec. 117.5. "Operate", for purposes of IC 9-31, means to navigate or otherwise use a motorboat.

As added by P.L.71-1991, SEC.6.

IC 9-13-2-118

Operator

Sec. 118. (a) "Operator" means, except as provided in subsection (b), when used in reference to a motor vehicle, a person, other than a chauffeur or a public passenger chauffeur, who:

- (1) drives or is in actual physical control of a motor vehicle upon a highway; or
- (2) is exercising control over or steering a motor vehicle being towed by a motor vehicle.

(b) "Operator", for purposes of IC 9-25, means a person other than a chauffeur who is in actual physical control of a motor vehicle upon a highway of Indiana.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-119

Operator of a special tractor mobile home rig

Sec. 119. "Operator of a special tractor mobile home rig" means:

- (1) a person employed by a mobile home or sectionalized building manufacturer, dealer, transport company, or individual owner for the purpose of driving a vehicle transporting a mobile home or sectionalized building (as defined in section 163(b) of this chapter) on any public road or street; or
- (2) an individual moving the individual's own mobile home or sectionalized building on the highways.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-120

Other bus

Sec. 120. "Other bus", for purposes of IC 9-29-5-10, has the meaning set forth in that section.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-120.5

Out-of-service order

Sec. 120.5. "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, a commercial motor vehicle, or a motor carrier operation is out-of-service under:

- (1) 49 CFR Parts 386.72, 392.5, 395.13, 396.9;

(2) Indiana law; or
(3) the North American Uniform Out-of-Service Criteria.
As added by P.L.88-1996, SEC.1.

IC 9-13-2-121

Owner

Sec. 121. (a) "Owner" means, except as otherwise provided in this section, when used in reference to a motor vehicle:

- (1) a person who holds the legal title of a motor vehicle;
- (2) a person renting or leasing a motor vehicle and having exclusive use of the motor vehicle for more than thirty (30) days; or
- (3) if a motor vehicle is the subject of an agreement for the conditional sale or lease vested in the conditional vendee or lessee, or in the event the mortgagor, with the right of purchase upon the performance of the conditions stated in the agreement and with an immediate right of possession of a vehicle is entitled to possession, the conditional vendee or lessee or mortgagor.

(b) "Owner", for purposes of IC 9-21 and IC 9-25, means, when used in reference to a motor vehicle, a person who holds the legal title of a motor vehicle, or if a:

- (1) motor vehicle is the subject of an agreement for the conditional sale or lease of the motor vehicle with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee; or
- (2) mortgagor of a motor vehicle is entitled to possession;

the conditional vendee or lessee or mortgagor is considered to be the owner for the purpose of IC 9-21 and IC 9-25.

(c) "Owner", for purposes of IC 9-22-1, means the last known record titleholder of a vehicle according to the records of the bureau under IC 9-17.

(d) "Owner", for purposes of IC 9-31, means a person, other than a lienholder, having the property in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person reserved or created by agreement and securing payment or performance of an obligation. The term excludes a lessee under a lease not intended as security.
As added by P.L.2-1991, SEC.1. Amended by P.L.71-1991, SEC.7.

IC 9-13-2-122

Parts

Sec. 122. "Parts" refers to all components of a vehicle that as assembled do not constitute a complete vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-123

Passenger motor vehicle

Sec. 123. (a) "Passenger motor vehicle" means, except as

provided in subsection (b), a motor vehicle designed for carrying passengers. The term includes a low speed vehicle but does not include a motorcycle, bus, or school bus.

(b) For purposes of IC 9-19-10, the term includes buses, school buses, and private buses, and excludes trucks, tractors, and recreational vehicles.

As added by P.L.2-1991, SEC.1. Amended by P.L.21-2003, SEC.3.

IC 9-13-2-124

Person

Sec. 124. (a) "Person" means, except as otherwise provided in this section, an individual, a firm, a partnership, an association, a fiduciary, an executor or administrator, a governmental entity, a limited liability company, or a corporation.

(b) "Person", for purposes of IC 9-14-3.5, does not include the state or an agency of the state.

(c) "Person", for purposes of IC 9-20-14, IC 9-20-15, and IC 9-20-18-13(b), means a mobile home or sectionalized building transport company, mobile home or sectionalized building manufacturer, mobile home or sectionalized building dealer, or mobile home or sectionalized building owner.

(d) "Person", for purposes of IC 9-23, means an individual, a corporation, a limited liability company, an association, a partnership, a trust, or other entity. The term does not include the state, an agency of the state, or a municipal corporation.

As added by P.L.2-1991, SEC.1. Amended by P.L.95-1991, SEC.3; P.L.8-1993, SEC.169; P.L.89-1996, SEC.1.

IC 9-13-2-124.5

Personal information

Sec. 124.5. "Personal information", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-5.

As added by P.L.2-1997, SEC.27.

IC 9-13-2-125

Personalized license plate

Sec. 125. "Personalized license plate" means a license plate that displays the registration number assigned to the vehicle and issued in a combination of letters or numbers, or both, requested by the owner or the lessee of the vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-126

Pole trailer

Sec. 126. "Pole trailer" means a vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members that are capable, generally, of sustaining

themselves as beams between the supporting connections.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-127

Police officer

Sec. 127. (a) "Police officer" means, except as provided in subsection (b), the following:

- (1) A regular member of the state police department.
- (2) A regular member of a city or town police department.
- (3) A town marshal or town marshal deputy.
- (4) A regular member of a county sheriff's department.
- (5) A conservation officer of the department of natural resources.

(b) "Police officer", for purposes of IC 9-21, means an officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

As added by P.L.2-1991, SEC.1. Amended by P.L.67-1992, SEC.2.

IC 9-13-2-128

Political subdivision

Sec. 128. "Political subdivision" means a county, a township, a city, a town, a public school corporation, or any other subdivision of the state recognized in any law, including any special taxing district or entity and any public improvement district authority or entity authorized to levy taxes or assessments.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-128.3

Pop-up camper trailer

Sec. 128.3. "Pop-up camper trailer" means a recreation camping unit designed for temporary living quarters that is:

- (1) mounted on wheels; and
- (2) constructed with collapsible sidewalls that fold or sidewalls that telescope;

for towing by a motor vehicle.

As added by P.L.93-1997, SEC.2.

IC 9-13-2-129

Preceding year

Sec. 129. "Preceding year", for purposes of IC 9-18-11, has the meaning set forth in IC 9-18-11-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-130

Previous conviction of operating while intoxicated

Sec. 130. "Previous conviction of operating while intoxicated" means a previous conviction:

- (1) in Indiana of:
 - (A) an alcohol related or drug related crime under Acts 1939, c.48, s.52, as amended, IC 9-4-1-54 (repealed

September 1, 1983), or IC 9-11-2 (repealed July 1, 1991); or
(B) a crime under IC 9-30-5-1 through IC 9-30-5-9; or
(2) in any other jurisdiction in which the elements of the crime
for which the conviction was entered are substantially similar
to the elements of a crime described in IC 9-30-5-1 through
IC 9-30-5-9.

As added by P.L.2-1991, SEC.1. Amended by P.L.1-1992, SEC.36.

IC 9-13-2-131

Prima facie evidence of intoxication

Sec. 131. "Prima facie evidence of intoxication" includes evidence that at the time of an alleged violation the person had an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol per:

- (1) one hundred (100) milliliters of the person's blood; or
- (2) two hundred ten (210) liters of the person's breath.

As added by P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.3; P.L.1-2000, SEC.3; P.L.175-2001, SEC.2.

IC 9-13-2-132

Prisoner of war

Sec. 132. "Prisoner of war" means a person who, while serving on active military service in the land, air, or naval forces of the United States, was in the power of a hostile government, was imprisoned by the military or naval forces of a foreign nation during the United States' military involvement in World War I, World War II, the Korean Police Action, or the Vietnam Conflict and who is either presently a member of the armed forces or has received an honorable discharge.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-133

Private bus

Sec. 133. (a) "Private bus" means a motor vehicle designed and constructed for the accommodation of passengers and that is used for transportation of passengers by any of the following:

- (1) A religious, fraternal, charitable, or benevolent organization.
- (2) A youth association.
- (3) A public or private institution of higher education.

(b) The term includes either the chassis or the body of the vehicle or both the body and the chassis of the vehicle.

(c) The term does not include the following:

- (1) A vehicle with a seating capacity of not more than fifteen (15) persons.
- (2) A school bus or a bus used to carry passengers for hire.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-134

Private business property or shopping center

Sec. 134. "Private business property" or "shopping center", for

purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2.
As added by P.L.2-1991, SEC.1.

IC 9-13-2-135

Private driveway

Sec. 135. "Private driveway" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-136

Private property

Sec. 136. "Private property" means all property other than public property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-137

Private road

Sec. 137. "Private road" means a way or place in private ownership that is used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-138

Procurement

Sec. 138. "Procurement", for purposes of IC 9-16-2, has the meaning set forth in IC 9-16-2-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-139

Proof of financial responsibility

Sec. 139. "Proof of financial responsibility", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-140

Protocol

Sec. 140. "Protocol" means a procedure for the withdrawal of blood and other bodily substance samples.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-141

Public agency

Sec. 141. "Public agency", for purposes of IC 9-22-1, has the meaning set forth in IC 9-22-1-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-142

Public highway

Sec. 142. "Public highway", for purposes of IC 9-25, has the meaning set forth in IC 9-25-2-4.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-143**Public passenger chauffeur**

Sec. 143. "Public passenger chauffeur" means any of the following:

(1) A person who operates a motor vehicle while in use as a school bus for the transportation of pupils to or from school, or to or from school athletic games or contests.

(2) A person who operates a motor vehicle other than a medical services vehicle while in use as a public passenger carrying vehicle.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-144**Public property**

Sec. 144. "Public property" means a public right-of-way, street, highway, alley, park, or other state, county, or municipal property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-144.5**Pull service charge**

Sec. 144.5. "Pull service charge", for purposes of IC 9-29-3-19, has the meaning set forth in IC 9-29-3-19.

As added by P.L.216-2003, SEC.2.

IC 9-13-2-145**Qualified person**

Sec. 145. "Qualified person", for purposes of IC 9-16-1, has the meaning set forth in IC 9-16-1-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-146**Railroad**

Sec. 146. "Railroad" does not include street car.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-147**Railroad sign or signal**

Sec. 147. "Railroad sign or signal" means a sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-148**Raw milk**

Sec. 148. "Raw milk", for purposes of IC 9-20-4-2, has the meaning set forth in IC 9-20-4-2(d).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-149

Rebuilt vehicle

Sec. 149. "Rebuilt vehicle" means a vehicle for which a certificate of title has been issued by the bureau under IC 9-22-3 or for which a certificate of title has been issued by another state or jurisdiction under a similar procedure for the retitling of salvage motor vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-149.5

Record

Sec. 149.5. "Record", for purposes of IC 9-14-3.5, has the meaning set forth in IC 9-14-3.5-6.

As added by P.L.2-1997, SEC.28.

IC 9-13-2-150

Recreational vehicle

Sec. 150. (a) "Recreational vehicle" means a vehicle with or without motive power equipped exclusively for living quarters for persons traveling upon the highways.

(b) "Recreational vehicle", for purposes of IC 9-18-2-8, does not include a mobile structure (as defined in IC 22-12-1-17).

As added by P.L.2-1991, SEC.1.

IC 9-13-2-151

Relevant evidence of intoxication

Sec. 151. "Relevant evidence of intoxication" includes evidence that at the time of an alleged violation a person had an alcohol concentration equivalent to at least five-hundredths (0.05) gram, but less than eight-hundredths (0.08) gram of alcohol per:

- (1) one hundred (100) milliliters of the person's blood; or
- (2) two hundred ten (210) liters of the person's breath.

As added by P.L.2-1991, SEC.1. Amended by P.L.33-1997, SEC.4; P.L.1-2000, SEC.4; P.L.175-2001, SEC.3.

IC 9-13-2-151.5

Relevant market area

Sec. 151.5. "Relevant market area", for purposes of IC 9-23-3, means the following:

- (1) With respect to a:

- (A) proposed new motor vehicle dealer in a county having a population of more than one hundred thousand (100,000); or
- (B) new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of more than one hundred thousand (100,000);

the area within a radius of six (6) miles of the intended site of the proposed or relocated dealer. The six (6) mile distance shall

be determined by measuring the distance between the nearest surveyed boundary of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's place of business.

(2) With respect to a:

(A) proposed new motor vehicle dealer in a county having a population that is not more than one hundred thousand (100,000); or

(B) new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population that is not more than one hundred thousand (100,000);

the area within a radius of ten (10) miles of the intended site of the proposed or relocated dealer, or the county line, whichever is closer to the intended site. The ten (10) mile distance shall be determined by measuring the distance between the nearest surveyed boundary line of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's principal place of business.

As added by P.L.118-2001, SEC.1.

IC 9-13-2-151.7

Rental company

Sec. 151.7. "Rental company" has the meaning set forth in IC 24-4-9-7.

As added by P.L.268-2003, SEC.4.

IC 9-13-2-152

Repair or replacement

Sec. 152. "Repair or replacement" means the restoration of an odometer to a sound working condition by replacing the odometer or any part of the odometer or by correcting what is inoperative.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-152.5

Reproduction

Sec. 152.5. "Reproduction" means the following:

(1) With respect to a license plate issued under IC 9-18, an object that:

(A) is made of metal, plastic, or a similarly rigid and durable material;

(B) is the same or nearly the same size as the license plate; and

(C) has the same colors, details, and arrangement as the license plate, except for the registration numbers and letters at the center of the license plate.

(2) With respect to a driver's license issued under IC 9-24, a copy of a driver's license issued to a particular individual made by a photographic process.

As added by P.L.115-1993, SEC.1.

IC 9-13-2-153

Residence district

Sec. 153. "Residence district" means the territory contiguous to and including a highway not comprising a business district, when the property on the highway for a distance of at least five hundred (500) feet is primarily improved with residences or residences and buildings in use for business.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-154

Restricted license

Sec. 154. "Restricted license" means any current driving license, on which the commission has designated restrictions.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-154.5

Retail lessee

Sec. 154.5. "Retail lessee", for purposes of IC 9-23-2.5, has the meaning set forth in IC 9-23-2.5-6.

As added by P.L.86-1996, SEC.6.

IC 9-13-2-154.6

Retail lessor

Sec. 154.6. "Retail lessor", for purposes of IC 9-23-2.5, has the meaning set forth in IC 9-23-2.5-7.

As added by P.L.86-1996, SEC.7.

IC 9-13-2-155

Right-of-way

Sec. 155. "Right-of-way" means the privilege of the immediate use of a highway.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-156

Road tractor

Sec. 156. "Road tractor" means a vehicle designed and used for drawing other vehicles and not constructed to carry any load independently or any part of the weight of a vehicle or load drawn independently.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-157

Roadway

Sec. 157. "Roadway" means that part of a highway improved, designed, or ordinarily used for vehicular travel.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-158

Safety glazing materials

Sec. 158. "Safety glazing materials", for purposes of IC 9-19-19, has the meaning set forth in IC 9-19-19-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-159**Safety zone**

Sec. 159. "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and that is protected or is so marked or indicated by adequate signs as to be plainly visible at all times.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-160**Salvage motor vehicle**

Sec. 160. "Salvage motor vehicle" means any of the following:

- (1) A motor vehicle, motorcycle, semitrailer, or recreational vehicle that meets at least one (1) of the criteria set forth in IC 9-22-3-3.
- (2) A vehicle, ownership of which is evidenced by a salvage title or by another ownership document of similar qualification and limitation issued by a state or jurisdiction other than the state of Indiana, and recognized by and acceptable to the bureau of motor vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-161**School bus**

Sec. 161. (a) "School bus" means, except as provided in subsection (b), a:

- (1) bus;
- (2) hack;
- (3) conveyance;
- (4) commercial motor vehicle; or
- (5) motor vehicle;

used to transport preschool, elementary, or secondary school children to and from school and to and from school athletic games or contests or other school functions. The term does not include a privately owned automobile with a capacity of not more than five (5) passengers that is used for the purpose of transporting school children to and from school.

(b) "School bus", for purposes of IC 9-21, means a motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, including project headstart, or privately owned and operated for compensation for the transportation of children to and from school, including project headstart.

As added by P.L.2-1991, SEC.1. Amended by P.L.54-1998, SEC.1; P.L.219-2003, SEC.2.

IC 9-13-2-161.3**School crossing guard**

Sec. 161.3. "School crossing guard" means a person at least eighteen (18) years of age appointed by one (1) of the following:

- (1) Safety board.
- (2) Board of public works and safety.
- (3) Town board.
- (4) Board of public safety.
- (5) Sheriff.

As added by P.L.116-1993, SEC.1.

IC 9-13-2-161.5**School crossing zone**

Sec. 161.5. "School crossing zone" means a part of a roadway distinctly indicated for crossing by children on the way to or from school by lines or other markings on the surface of the roadway or by signs.

As added by P.L.116-1993, SEC.2.

IC 9-13-2-162**Scrap metal processor**

Sec. 162. "Scrap metal processor" means a private, commercial, or governmental enterprise having facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron, scrap steel, or nonferrous scrap for sale for remelting purposes. A scrap metal processor is not a disposal facility or a used parts dealer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-163**Sectionalized building**

Sec. 163. (a) "Sectionalized building" means, except as provided in subsection (b), any part of a finished structure.

(b) "Sectionalized building", for purposes of IC 9-20-15, means any part of a finished structure that has living quarters suitable for human use and that can be identified by a manufacturer's number sequence.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-164**Semitrailer**

Sec. 164. (a) "Semitrailer", except as provided in subsection (b), means a vehicle without motive power, designed for carrying property and for being drawn by a motor vehicle, and so constructed that some part of the weight of the semitrailer and that of the semitrailer's load rests upon or is carried by another vehicle. The term does not include the following:

- (1) A pole trailer.
- (2) A two (2) wheeled homemade trailer.
- (3) A semitrailer used exclusively for carrying passengers as used in section 17(a) of this chapter.

(b) "Semitrailer", for purposes of IC 9-21, means a vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. The term does not include a pole trailer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-165

Serious bodily injury

Sec. 165. "Serious bodily injury" has the meaning set forth in IC 35-41-1.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-166

Shopping center or private business property

Sec. 166. "Shopping center" or "private business property", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-2.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-167

Sidewalk

Sec. 167. "Sidewalk" means the part of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-168

Solid tire

Sec. 168. "Solid tire" means a tire of rubber or other resilient material that does not depend upon compressed air for the support of the load.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-169

Special farm machinery

Sec. 169. "Special farm machinery" means:

- (1) a paint spray outfit;
- (2) livestock dipping equipment; and
- (3) seed cleaning and treating equipment;

when mounted and transported upon a trailer using a highway.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-170

Special group

Sec. 170. "Special group" means a class or group of persons that the bureau finds:

- (1) that:
 - (A) have made significant contributions to the United States, Indiana, or the group's community; or
 - (B) are descendants of native or pioneer residents of Indiana;

- (2) are organized as a nonprofit organization (as defined under Section 501(c) of the Internal Revenue Code);
- (3) are organized for nonrecreational purposes; and
- (4) are organized as a separate, unique organization or as a coalition of separate, unique organizations.

As added by P.L.2-1991, SEC.1. Amended by P.L.261-2001, SEC.1.

IC 9-13-2-170.5

Special numbered motor vehicle registration plate

Sec. 170.5. "Special numbered motor vehicle registration plate", for purposes of IC 9-29-3-19, has the meaning set forth in IC 9-29-3-19.

As added by P.L.216-2003, SEC.3.

IC 9-13-2-171

Special tractor-mobile home rig

Sec. 171. "Special tractor-mobile home rig" means any combination of a mobile home or sectionalized building and a towing vehicle having a width greater than one hundred forty-eight (148) inches and not greater than one hundred seventy-two (172) inches at the base and:

- (1) of which the mobile home, including the hitch, is not more than eighty-five (85) feet and the tractor part is not less than twelve (12) feet in length;
- (2) a height not in excess of fourteen (14) feet, six (6) inches; or
- (3) both of the dimensions in subdivisions (1) and (2).

As added by P.L.2-1991, SEC.1. Amended by P.L.61-1996, SEC.12; P.L.217-2003, SEC.1.

IC 9-13-2-172

Speed contest

Sec. 172. "Speed contest" means an unnecessary rapid acceleration by two (2) or more vehicles that creates a hazard to pedestrians, passengers, vehicles, or other property.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-173

State

Sec. 173. (a) "State" means, except as otherwise provided by this section and unless by the context some other state or territory or federal district of the United States is meant or intended, the state of Indiana.

(b) "State", for purposes of IC 9-27-1, means the state of Indiana, the governor of Indiana, an agency of the state of Indiana designated by the governor to receive federal aid, and any officer, board, bureau, commission, division, or department, any public body corporate and politic created by the state of Indiana for public purposes, or any university or college supported in part by state funds.

(c) "State", for purposes of IC 9-25, means any state in the United

States, the District of Columbia, or any Province of the Dominion of Canada.

(d) "State", for purposes of section 120.5 of this chapter, means any state in the United States or the District of Columbia.

As added by P.L.2-1991, SEC.1. Amended by P.L.88-1996, SEC.2.

IC 9-13-2-174

Stinger-steered vehicle

Sec. 174. "Stinger-steered vehicle" means an automobile or a boat transporter configured as a semitrailer combination in which the fifth wheel is located as a drop frame located behind and below the rearmost axle of the power unit.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-175

Street or highway

Sec. 175. "Street" or "highway" means the entire width between the boundary lines of every way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel. The term includes an alley in a city or town.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-176

Street car

Sec. 176. "Street car" means a car other than a railroad train for transporting persons or property and operated upon rails principally within a municipality.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-177

Tandem axle group

Sec. 177. "Tandem axle group" means two (2) or more axles spaced more than forty (40) inches and less than ninety-six (96) inches. For the purpose of enforcing the single axle weight limitation, the third axle of a tri-axle group of a truck shall be treated as if it were a single axle if it is independently suspended.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-177.5

Third party

Sec. 177.5. "Third party", for purposes of IC 9-17-3, has the meaning set forth in IC 9-17-3-0.5.

As added by P.L.268-2003, SEC.5.

IC 9-13-2-178

Through highway

Sec. 178. "Through highway" means a highway or portion of a highway at the entrance to which vehicular traffic from intersecting highways is required by law to yield right-of-way to vehicles on the through highway in obedience to either a stop sign or a yield sign.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-179

Towing service

Sec. 179. "Towing service" means a business that engages in moving or removing disabled vehicles and, once removed, stores or impounds vehicles.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-180

Tractor

Sec. 180. "Tractor" means a motor vehicle designed and used primarily for drawing or propelling trailers, semitrailers, or vehicles of any kind. The term does not include the following:

- (1) A farm tractor.
- (2) A farm tractor used in transportation.
- (3) A tractor that is used exclusively for drawing a passenger carrying semitrailer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-181

Tractor-mobile home rig

Sec. 181. "Tractor-mobile home rig" means a combination of a mobile home or sectionalized building and a towing vehicle having either a combined overall length of more than sixty (60) feet and not more than one hundred ten (110) feet of which:

- (1) the mobile home, including the hitch, is not more than eighty-five (85) feet; and
- (2) the tractor part:
 - (A) is not less than twelve (12) feet in length;
 - (B) has a width of more than ninety-six (96) inches and not more than one hundred forty-eight (148) inches at the base;
 - (C) has a height of not more than fourteen (14) feet; or
 - (D) has at least two (2) of the dimensions in clauses (A) through (C).

As added by P.L.2-1991, SEC.1. Amended by P.L.217-2003, SEC.2.

IC 9-13-2-182

Traffic

Sec. 182. "Traffic" means pedestrians, ridden or herded animals, street cars, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-183

Traffic offense

Sec. 183. "Traffic offense", for purposes of IC 9-30-3, has the meaning set forth in IC 9-30-3-5.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-184

Trailer

Sec. 184. (a) "Trailer" means, except as otherwise provided in this section, a vehicle:

- (1) without motive power;
- (2) designed for carrying persons or property;
- (3) designed for being drawn by a motor vehicle; and
- (4) so constructed that no part of the weight of the trailer rests upon the towing vehicle.

The term includes pole trailers and two (2) wheeled homemade trailers.

(b) "Trailer", for purposes of IC 9-21, means a vehicle:

- (1) with or without motive power;
- (2) designed for carrying persons or property;
- (3) designed for being drawn by a motor vehicle; and
- (4) so constructed that no part of the weight of the trailer rests upon the towing vehicle.

The term does not include pole trailers.

(c) "Trailer", for purposes of IC 9-21-8-12 through IC 9-21-8-13, means the combination of any motor vehicle towing another vehicle or trailer.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-185

Transfer dealer

Sec. 185. "Transfer dealer" means a person other than a dealer, manufacturer, or wholesale dealer who has the necessity of transferring a minimum of twelve (12) motor vehicles during a license year as part of the transfer dealer's primary business function.

As added by P.L.2-1991, SEC.1. Amended by P.L.268-2003, SEC.6.

IC 9-13-2-186

Transit school bus

Sec. 186. "Transit school bus" means a motor vehicle designed with the engine compartment located inside and underneath the passenger compartment.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-187

Transport operator

Sec. 187. "Transport operator" means any of the following:

- (1) A person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one (1) place to another by the drive away or tow away methods.
- (2) A nonresident dealer manufacturer engaged in the operation or business described in subdivision (1).
- (3) A business that prepares newly purchased vehicles of the business and delivers the vehicles to the locations where the vehicles will be based, titled, and registered.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-187.5

Trip

Sec. 187.5. "Trip", for purposes of IC 9-29-6-1, means the movement of a vehicle or combination of vehicles having a total gross weight greater than eighty thousand (80,000) pounds but less than one hundred thirty-four thousand (134,000) pounds within a twenty-four (24) hour period.

As added by P.L.147-2002, SEC.1.

IC 9-13-2-188

Truck

Sec. 188. (a) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property.

(b) "Truck", for purposes of IC 9-21-8-3, includes the following:

(1) A motor vehicle designed and used primarily for drawing another vehicle and constructed to carry a load other than a part of the weight of the vehicle and load so drawn.

(2) A motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-189

Truck-tractor

Sec. 189. (a) "Truck-tractor" means, except as provided in subsection (b), a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load so drawn.

(b) "Truck-tractor", for purposes of IC 9-20-13-2, means a noncargo carrying power unit designed to operate in combination with a semitrailer or trailer and includes a dromedary deck and plate.

As added by P.L.2-1991, SEC.1. Amended by P.L.91-1991, SEC.2.

IC 9-13-2-190

Truck-tractor-semitrailer-semitrailer

Sec. 190. "Truck-tractor-semitrailer-semitrailer" refers to a combination of vehicles containing two (2) trailing units connected with a B-train assembly.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-191

Ultimate purchaser

Sec. 191. "Ultimate purchaser" means the first person, other than a dealer purchasing in the dealer's capacity as a dealer, who in good faith purchases a motor vehicle for purposes other than resale.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-191.5

Uniform time standards manual

Sec. 191.5. "Uniform time standards manual", for purposes of IC 9-23-3, has the meaning set forth in IC 9-23-3-0.5.

As added by P.L.78-2002, SEC.4.

IC 9-13-2-192**Unit**

Sec. 192. "Unit", for purposes of IC 9-21-18, has the meaning set forth in IC 9-21-18-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-193**Urban district**

Sec. 193. "Urban district" means the territory contiguous to and including any street that is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than two hundred (200) feet for a distance of at least one-fourth (1/4) mile.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-194**Used major component part**

Sec. 194. "Used major component part" does not include a remanufactured part.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-195**Used parts dealer**

Sec. 195. "Used parts dealer" means a person who primarily buys, sells, barter, exchanges, or deals in used major component parts. The term does not include a scrap metal processor.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-196**Vehicle**

Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway.

(b) "Vehicle", for purposes of IC 9-14 through IC 9-18, does not include the following:

- (1) A device moved by human power.
- (2) A vehicle that runs only on rails or tracks.
- (3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks.
- (4) A firetruck and apparatus owned by a person or municipal division of the state and used for fire protection.
- (5) A municipally owned ambulance.
- (6) A police patrol wagon.
- (7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated

or moved over the highway, including the following:

- (A) Road construction or maintenance machinery.
- (B) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways.
- (C) Construction dust control machinery.
- (D) Well boring apparatus.
- (E) Ditchdigging apparatus.
- (F) An implement of husbandry.
- (G) An invalid chair.
- (H) A yard tractor.

(8) An electric personal assistive mobility device.

(c) For purposes of IC 9-20 and IC 9-21, the term does not include devices moved by human power or used exclusively upon stationary rails or tracks.

(d) For purposes of IC 9-22, the term refers to an automobile, a motorcycle, a truck, a trailer, a semitrailer, a tractor, a bus, a school bus, a recreational vehicle, or a motorized bicycle.

(e) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

As added by P.L.2-1991, SEC.1. Amended by P.L.88-1998, SEC.2; P.L.143-2002, SEC.4.

IC 9-13-2-197

Violation

Sec. 197. "Violation", for purposes of IC 9-30-10, has the meaning set forth in IC 9-30-10-3.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-198

Wagon

Sec. 198. "Wagon" means a vehicle that is:

- (1) without motive power;
- (2) designed to be pulled by a motor vehicle;
- (3) constructed so that no part of the weight of the wagon rests upon the towing vehicle;
- (4) equipped with a flexible tongue; and
- (5) capable of being steered by the front two (2) wheels.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-198.5

Watercraft

Sec. 198.5. "Watercraft" means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers, except a ferry.

As added by P.L.71-1991, SEC.8.

IC 9-13-2-198.7**Waters of Indiana**

Sec. 198.7. (a) "Waters of Indiana" means all waters within the boundaries of Indiana.

(b) The term includes every lake, river, stream, canal, ditch, and body of water owned or controlled by a public utility that is subject to the jurisdiction of the state.

As added by P.L.71-1991, SEC.9.

IC 9-13-2-199**Wholesale dealer**

Sec. 199. "Wholesale dealer" means a person who is engaged in the business of buying or selling motor vehicles for resale to other dealers, wholesale dealers, transfer dealers, or persons other than the general public.

As added by P.L.2-1991, SEC.1.

IC 9-13-2-200**Worksite**

Sec. 200. "Worksite" means a location or area upon which:

(1) a public purpose construction or maintenance activity; or

(2) a private purpose construction or maintenance activity that is authorized by a governmental agency;

is being performed on a highway. The term includes the lanes of a highway leading up to the area upon which an activity described in subdivision (1) or (2) is being performed, beginning at the point where appropriate signs directing vehicles to merge from one (1) lane into another lane are posted.

As added by P.L.2-1991, SEC.1. Amended by P.L.75-1999, SEC.1.

IC 9-13-2-201**Yard tractor**

Sec. 201. "Yard tractor" refers to a tractor that is used to move semitrailers around a terminal or a loading or spotting facility. The term also refers to a tractor that is operated on a highway with a permit issued under IC 6-6-4.1-13(e) if the tractor is ordinarily used to move semitrailers around a terminal or spotting facility.

As added by P.L.88-1998, SEC.3. Amended by P.L.150-2001, SEC.3.